

Date: January 17, 2025

To: Town of West Bend Plan Commission

From: Tim Schwecke, Zoning Administrator

Subject: One-lot certified survey map (CSM) for lot line adjustment located at 5835 Hacker Drive (T13_1021100); Kenneth Pickart, applicant

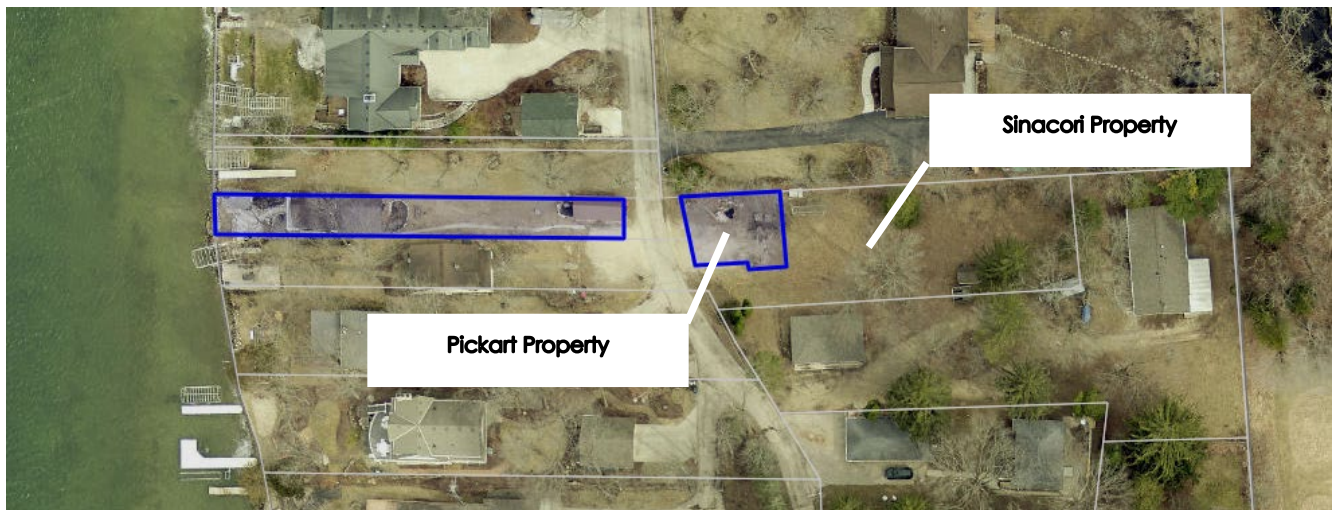
Application: 2025-01; <https://s.zoninghub.com/UES40HVEOZ>

Meeting: January 23, 2025 Plan Commission meeting

General description Pickart Family Trust owns the property at 5835 Hacker Drive (T13_1021100), which includes two separate parcels. The owner wants to increase the size of the lot on the east side of Hacker Drive by purchasing 800 square feet of the adjoining lot owned by Daniel Sinacori. The owner wants to build a garage on the now larger garage lot.

There is an existing easement on the south side of the lot which would extend across the additional land being added. The nature of this easement must be reviewed to see how it affects future development on the garage lot.

Subject property



Notice requirements Aside from being shown on the meeting agenda, no other public notice is required.

Extraterritorial review authority The City of West Bend is a class 3 city, which means its extraterritorial review authority extends 3 miles from its municipal boundary.

Review procedures The Plan Commission is advisory; the Town Board makes the final decision.

Potential motion for Plan Commission:

Recommend to the Town Board the approval of the proposed one-lot CSM based on a finding that no new lots are being created and with the understanding that this approval does not suggest the lot will be appropriate for the owner's plans for the proposed garage, with the following terms and conditions:

1. The Town engineer approves the CSM. Review comments, if any, must be satisfied to the Town engineer's satisfaction.
2. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet.
3. The note on sheet 1 should be revised to reference the correct tax parcel number as assigned by Washington County.

Attachments:

1. Application with certified survey map (12-13-2024)

Town of West Bend - Washington County, Wisconsin
APPLICATION for MINOR LAND DIVISION

Name of Property Owner: Pickart Family TRUST

Address: 7272 N Bridge Ln. Fox Pt. WI 53217

Phone: 415-519-3342 Email: Ken@AP-Build.com

Name of Applicant (if different from Property Owner): _____

Address: _____

Phone: _____ Email: _____

Property Description:

Address: (if different than Property Owner) 5835 Hacker Dr

Location of Property: ___ ¼ ___ ¼, Section ___, Town ___ Range X Town of West Bend

Tax Parcel #: _____ Current Use of Land: _____

Acres of Parent Parcel: 713 1021 Current Zoning of Parent Parcel: _____

Acres of Proposed Parcel(s): _____ Zoning of Proposed Parcel(s): _____
(Please include as attachment if more than one parcel is proposed to be created)

What is the land use classification of the parent parcel on the Town of West Bend Comprehensive Plan Future Land Use Map? (check one)

- | | |
|---|---|
| <input type="checkbox"/> Rural Residential | <input type="checkbox"/> Roadside Mixed-Use |
| <input type="checkbox"/> Neighborhood Residential | <input type="checkbox"/> Government/Institutional |
| <input checked="" type="checkbox"/> Shoreline Residential | |

Is any portion of the property in question classified as Environmental Conservancy District on the Future Land Use Map? Yes ___ No X

Is any portion of the property in question located within a Town of West Bend/City of West Bend Boundary Agreement on the Future Land Use Map? Yes ___ No X

Purpose of Land Division:

Add 800 sq ft to our garage parcel to allow the building of a garage

Will an outlot be created as a result of this land division? Yes ___ No X

If yes, explain the purpose of the outlot: _____

Town of West Bend - Washington County, Wisconsin
APPLICATION for MINOR LAND DIVISION

Application Checklist:

(This Application shall be completed in full. The Town of West Bend shall not accept any Application for Minor Land Division until all of the information below, as required under Section 18.3.03 of the Town of West Bend Land Division Ordinance, is submitted as attachment to this Application. Please confirm inclusion of the required information by checking each item below).

The Certified Survey Map shall show correctly on its face the following (as applicable):

- All Existing Buildings, watercourses, drainage ditches, and other features pertinent to proper land division.
- Setbacks or Building Lines if required by the Town Plan Commission in accordance with the guidelines set forth in Section 7.07 of the land division ordinance.
- Utility and drainage easements.
- All lands dedicated for public use or reserved for future acquisition.
- Date of the Certified Survey Map.
- Graphic Scale and North Point.
- Name and Address of the owner, subdivider and surveyor.
- Existing and Proposed Contours at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than 10 percent, and of not more than four (4) feet where the slope of the ground surface is 10 percent or more. Elevations shall be marked on such contours based on National Geodetic Datum of 1929 (mean sea level). This requirement may be waived if the parcel or parcels created are fully developed.
- All Proposed Streets, roads, or highways within 300 feet of the boundaries of the parcels created by the minor land division.
- Floodplain Limits of the 100-year recurrence interval flood, or where such data is not available, a line lying a vertical distance of five (5) feet above the elevation of the maximum flood of record.
- Location of Soil Boring Tests. The Town Plan Commission, upon recommendation of the Town Engineer, may require that borings and tests be made in specified areas to ascertain subsurface soil, rock, and water conditions, including depth to bedrock and depth to ground water table. Where the land division will not be served by public sanitary sewer service, the requirements of Chapters SPS 383 and SPS 385 of the Wisconsin Administrative Code for soil borings shall be met. The location of all soil borings shall be shown on the certified survey map and two (2) copies of all test results shall accompany the map. Where soil mottling or saturated conditions are observed in the soil profile, the Plan Commission may prohibit the future construction of principal buildings.
- Location of Soil Percolation Tests where required by Section SPS 385.06 of the Wisconsin Administrative Code, taken at the location and depth in which soil absorption waste disposal

Town of West Bend - Washington County, Wisconsin
APPLICATION for MINOR LAND DIVISION

systems are to be installed. The number of such tests initially made shall not be less than one (1) test per three (3) acres or one (1) test per lot, whichever is greater. The results of such tests shall be submitted along with the preliminary plat.

___ The Entire Area contiguous to the proposed certified survey map owned or controlled by the subdivider shall be included on the certified survey map even though only a portion of said area is proposed for immediate development. The Town Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this code and severe hardship would result from strict application thereof.

Application Fee:

- \$100.00 for first lot
- \$50.00 for each additional lot

Check Number: 582 pd. \$150
12/30/2024
ll

Signatures:

Owner or Applicant: Ken Rihl Date: 12/23/24

Zoning Administrator: _____ Date: _____

Professional Services Fee:

When the services of outside legal, planning, engineering, or other technical advice results in a charge to the Town for professional time and services, the Town Clerk shall charge such fees incurred by the Town to the property owner even if the request is not approved.

I understand and agree that I shall be responsible for any professional services fees incurred by the Town even if my request is not approved.

Owner Signature: Ken Rihl Date: 12/23/24

INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Wisconsin
County of Milwaukee } ss.

On this the 26th day of December, 2024, before me,

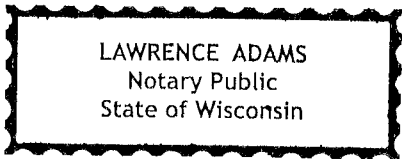
Lawrence Adams, the undersigned Notary Public,
Name of Notary Public

personally appeared Alison Pickett
Name(s) of Signer(s)

- personally known to me – OR –
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal.
[Signature]
Signature of Notary Public



Place Notary Seal/Stamp Above

My Commission Expires
October 15, 2028
Any Other Required Information
(Printed Name of Notary, Expiration Date, etc.)

OPTIONAL

This section is required for notarizations performed in Arizona but is optional in other states. Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Washington County Certificate Map

Document Date: 12-26-24 Number of Pages: 3

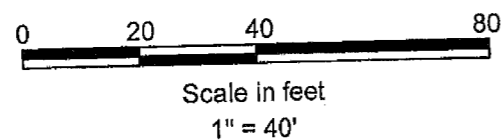
Signer(s) Other Than Named Above: _____

Washington County Certified Survey Map

Part of Government Lot 2, being in the NW1/4 of the SE 1/4 of Section 20,
Township 11 North, Range 19 East, Town of West Bend, Washington County,
Wisconsin.

(r.a.) means "recorded as"
P.O.B. - means Point of Beginning.

- - indicates a 1.3"od iron pipe found unless noted.
- - indicates a 1.3"od x 18" iron pipe weighing 1.68 lbs./ft. set.



Bearings are referenced to the Wisconsin County Coordinate System, Washington County zone, (NAD-83/WISCORS 2011 Adjustment). The north line of the SE 1/4 of Sec. 20-11-19 which has a grid bearing of N 89°28'34" W.

Note: There was an additional 20 feet added to the existing Garage Lot as a Lot Line Adjustment, approved by the Town of West Bend. This is separated by the Private Road and should not be together with Tax No. T13-1021. The creation of this lot restricts it from being owned only by the owner of Tax No. T13-1021. The area shown is the gross areas including the private road easement area.

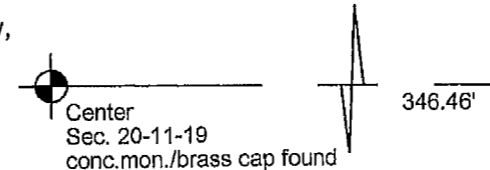
part Gov. Lot 2
Doc. 1472650, 1467784

part Gov. Lot 2
Doc. 1318662
T13-1020900
shown for reference only

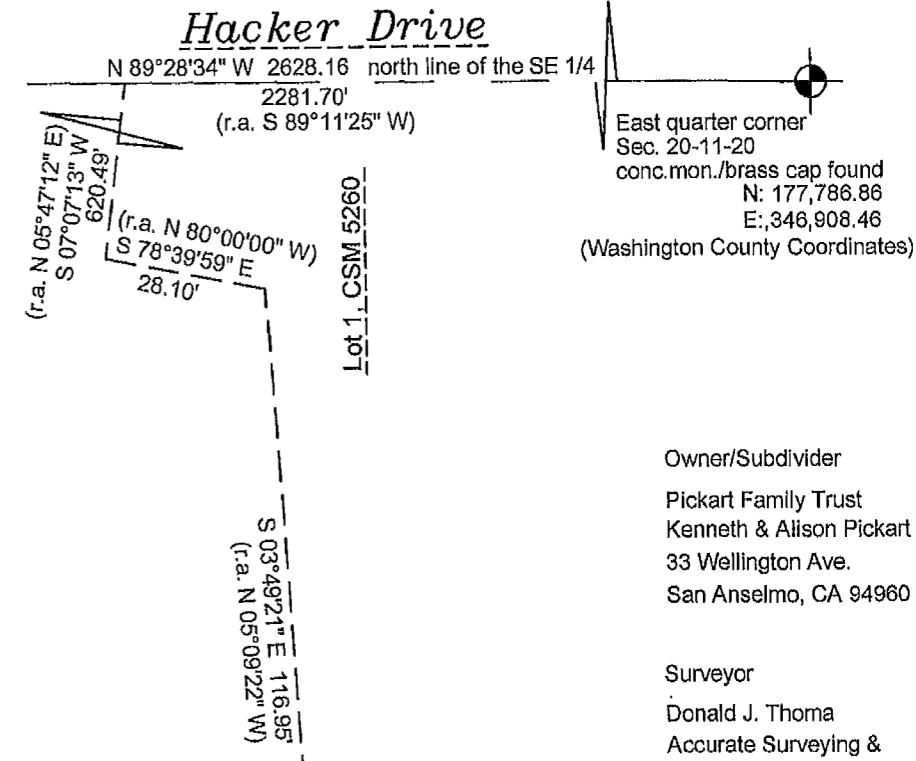
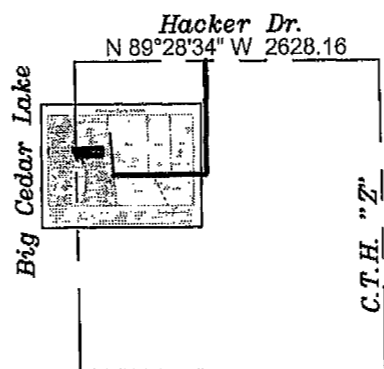
part Gov. Lot 2
Doc. 1541891

part Gov. Lot 2
Doc. 1541891

This instrument was drafted by Donald J. Thoma, S-2470



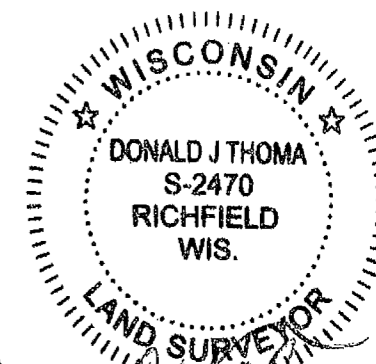
Location Sketch
SE 1/4 of Sec. 20-11-20
Scale: 1" = 2000'



East quarter corner
Sec. 20-11-20
conc.mon./brass cap found
N: 177,786.86
E: 346,908.46
(Washington County Coordinates)

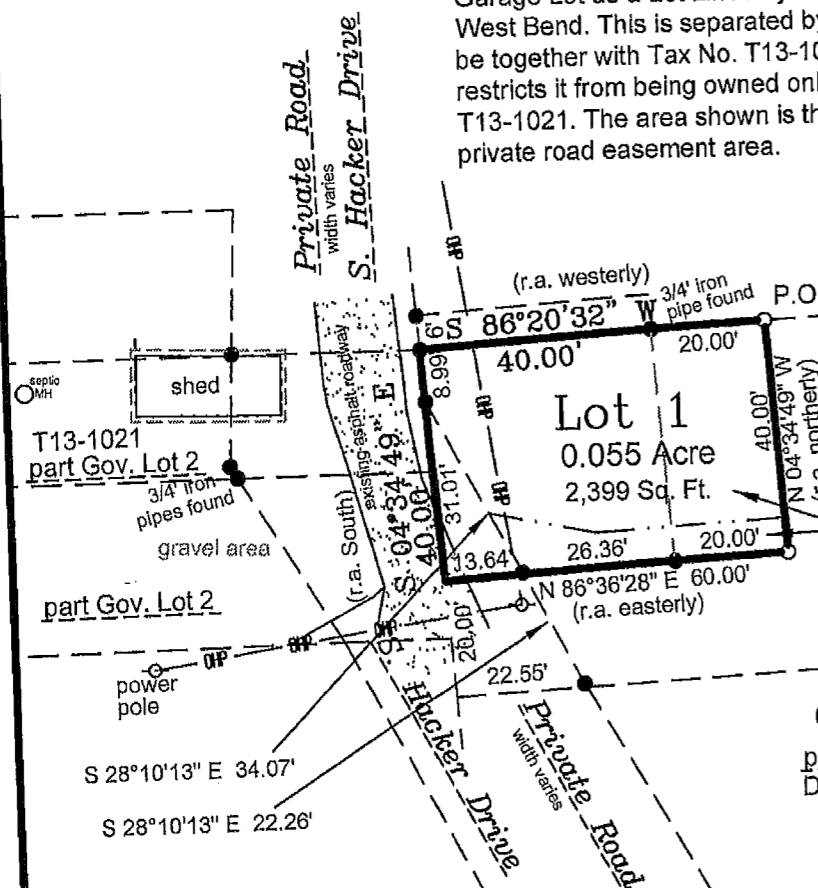
Owner/Subdivider
Pickart Family Trust
Kenneth & Alison Pickart
33 Wellington Ave.
San Anselmo, CA 94960

Surveyor
Donald J. Thoma
Accurate Surveying &
Engineering, LLP
2911 Wildlife Lane
Richfield, WI 53076



Donald J. Thoma
Donald J. Thoma, S-2470

Dated this 26th day of June, 2024.
Revised this 13th day of December, 2024.



Washington County Certified Survey Map

Part of Government Lot 2, being in the NW 1/4 of the SE 1/4 of Section 20,
Township 11 North, Range 19 East, Town of West Bend, Washington County,
Wisconsin.

Surveyor's Certificate:

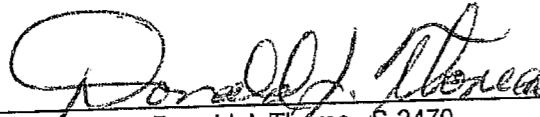
I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Kenneth C. Pickhart, I have surveyed, divided and mapped the land shown and described hereon, Part of Government Lot 2, being in the NW 1/4 of the SE 1/4 of Section 20, Township 11 North, Range 19 East, Town of West Bend, Washington County, Wisconsin, which is bounded and described as follows:

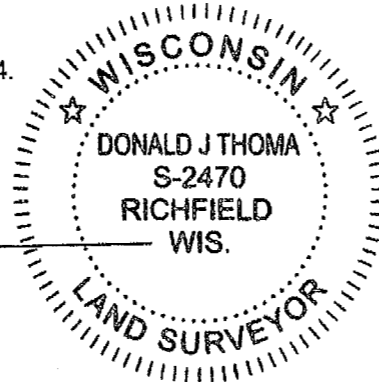
Commencing at the East Quarter corner of said Section 20; thence N 89°28'34" W, along the North line of said SE 1/4, 2281.70 feet, to the northwest corner of Certified Survey Map No. 5260, as recorded in the Washington County Registry in Volume 37 of Certified Survey Maps on pages 69-71 as Document No. 862113; thence S 07°07'13" W, along the westerly line of said Certified Survey Map No. 5260, 620.49 feet; thence S 78°39'59" E, continuing along said westerly line of Certified Survey Map No. 5260, 28.10 feet; thence S 03°49'21" E, continuing along said westerly line of Certified Survey Map No. 5260, 116.95 feet, to a 1.3 inch od iron pipe found marking the northeast corner of lands described in Document No. 1541891 as recorded in the Washington County Registry; thence S 87°20'37" W, along the monumented north line of said Document No. 1541891, 85.93 feet, to a 1.3 inch od iron pipe found marking the northwest corner of said Document No. 1541891 and the northeast corner of lands described in Document No. 1318662 as recorded in the Washington County Registry; thence S 87°08'20" W, along the monumented north line of said Document No. 1318662, 154.34 feet, to a set 1.3 inch od iron pipe and the point of beginning of lands herein described; thence continuing S 87°08'20" W, along the north line of Document No. 1606192 as recorded in the Washington County Registry, to a 3/4 inch iron pipe found marking the northeast corner of lands described in Document No. 1503370 as recorded in the Washington County Registry; thence S 86°20'32" W, along the monumented north line of said Document No. 1503370, 40.00 feet, to a 1.3 inch od iron pipe found marking the northwest corner of said Document No. 1503370; thence S 04°34'49" E, along the west line of said Document No. 1503370 40.00 feet and the corner of said Document No. 1318662; thence N 86°36'28" E, along the south line of said Document No. 1503370, Document No. 1606192 and the common line of Document No. 1318662, 60.00 feet, to a set 1.3 inch od iron pipe; thence N 04°34'49" W, along the east line of said Document No. 1606192 and now the common line of Document No. 1318662, 40.00 feet, to the point of beginning.

Containing 0.055 acre (2,399 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Town of West Bend Land Division Ordinance in surveying, dividing and mapping said land, and the this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 26th day of June, 2024.
Revised this 13th day of December, 2024.


Donald J. Thoma, S-2470



Owner's Certificate:

As Owner and Trustees of Lot 1, we hereby certify that we caused the land shown and described herein to be surveyed, divided and mapped as represented on this Certified Survey Map. We also certify that there is no mortgage and restrict this Lot to be owned by the owner of Tax No. T13-1021. This Certified Survey Map is required to be submitted to the following for approval. Town of West Bend Plan Commission City of West Bend Plan Commiss
Town of West Bend Town Board

Kenneth C. Pickart - Trustee

Allison W. Pickart - Trustee

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s.

Personally came before me this ____ day of _____, 202__, the above named owners are to me known to be the same persons who executed the foregoing instrument and acknowledge the same.

(Notary Seal) _____, Notary Public, _____, _____ (State)

My commission expires _____

Washington County Certified Survey Map

Part of Government Lot 2, being in the NW 1/4 of the SE 1/4 of Section 20,
Township 11 North, Range 19 East, Town of West Bend, Washington County,
Wisconsin.

Consent of Corporate Mortgage:

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of Lot 1 of the land described on this Certified Survey Map, and does hereby consent to the above certificate of Kenneth C. Pickart and Alison W. Pickart- trustees/owner.

IN WITNESS WHEREOF, the said _____ has caused these presents to be signed by _____, its President, and countersigned by _____, its Secretary(cashier), at _____, Wisconsin, and its corporate seal to be hereunto affixed this ____ day of _____, 202__.
In the presence of:

Corporate Name (Corporate Seal)

President Secretary or Cashier Date

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s.

Personally came before me this ____ day of _____, 202__, _____,

President, and _____, Secretary(cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary(cashier) of said corporation, and acknowledge that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) _____, Notary Public, _____, Wisconsin.

My commission expires _____

Town of West Bend Town Board Approval:

This land division is hereby approved and accepted by the Town of West Bend Town Board this ____ day of _____, 202__.

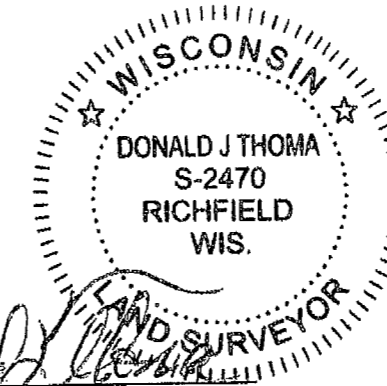
Troy Zagel - Chairperson Julie Ihlenfeld- Town Clerk

City of West Bend Plan Commission Approval:

This land division, CSM file No. _____, is hereby approved by the City of West Bend Plan Commission as being in conformance with the City's Subdivision Ordinance

this ____ day of _____, 202__.

Joel Ongert - Mayor Lizbet Santana - City Clerk



Donald J. Thoma, S-2470

Dated this 26th day of June, 2024.
Revised this 13th day of December, 2024.